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Motions Panel  
Interference Trial Section  
Board of Patent Appeals and Interferences  
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Filed:  
January 10, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

HANS PETERSEN  
and  
MICHAEL HAROLD ROCK  
(Application 09/794,755)

Junior Party,

v.

TETSUYA IKEMOTO, WEI-GUO GAO,  
and  
MASAMI IGI  
(Application 10/086,076)

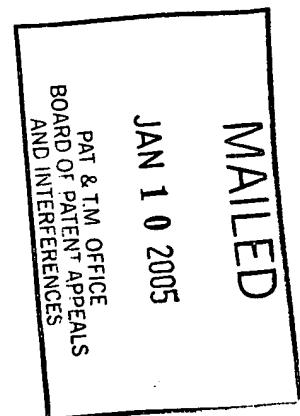
Senior Party

Patent Interference 105,075

Before McKELVEY, Senior Administrative Patent Judge, SCHAFER, and MOORE,  
Administrative Patent Judges.

MOORE, Administrative Patent Judge.

Judgment - Merits - Bd.R. 127



Upon consideration of Petersen Preliminary Motions 1-3, Petersen Miscellaneous Motion 4, Ikemoto Preliminary Motions 1-3, Ikemoto Motion to Correct Inventorship, and for the reasons given in the DECISION ON PRELIMINARY MOTIONS (Papers 67 and 68), it is:

**ORDERED** that Petersen Preliminary Motions 1-3 and Miscellaneous Motion 4 (Papers 23, 24, 25, and 26) are **dismissed**.

**FURTHER ORDERED** that Ikemoto Motion to Correct Inventorship (Paper 46) is **granted**.

**FURTHER ORDERED** that Ikemoto Preliminary Motion 1 (Paper 29) is **dismissed**.

**FURTHER ORDERED** that Ikemoto Preliminary Motion 2 (Paper 50) is **denied**.

**FURTHER ORDERED** that Ikemoto Preliminary Motion 3 (Paper 51) is **granted**.

**FURTHER ORDERED** that Petersen is not entitled to a patent containing Petersen claims 6 and 7 of involved Petersen application 09/794,755, filed February 26, 2001.

**FURTHER ORDERED** that entry of this judgment constitutes a final decision in this interference [37 CFR §41.2--definition of "final"--reprinted in 69 Fed. Reg. at 50003 (Aug. 12, 2004)].

**FURTHER ORDERED** that a copy of each DECISION ON PRELIMINARY MOTIONS (Papers 67 and 68) and this JUDGMENT shall be placed in the file of (1) application 09/794,755 and (2) application 10/086,076.

**FURTHER ORDERED** that if there is a settlement agreement, attention is directed to 35 U.S.C. §135(c) and 37 CFR §41.205, reprinted in 69 Fed. Reg. at 50019 (Aug. 12, 2004).

m.k )  
FRED E. McKELVEY )  
Senior Administrative Patent Judge )  
R.E.S. )  
RICHARD E. SCHAFER ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS  
J.T.M. ) AND  
Administrative Patent Judge ) INTERFERENCES  
JAMES T. MOORE )  
Administrative Patent Judge )

Date: January 10, 2005  
Alexandria, VA

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